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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,338	12/31/2003	Tai-Cheng Yu		8223
25859	7590	11/21/2005		
WEI TE CHUNG FOXCONN INTERNATIONAL, INC. 1650 MEMOREX DRIVE SANTA CLARA, CA 95050			EXAMINER SCHECHTER, ANDREW M	
			ART UNIT 2871	PAPER NUMBER

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/749,338

Applicant(s)

YU ET AL.

Examiner

Andrew Schechter

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 15-17 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 16 and 17 is/are allowed.
6) ☒ Claim(s) 1-5, 7 and 13 is/are rejected.
7) ☒ Claim(s) 6, 8-12 and 15 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination

1. Applicant's submission filed on 4 November 2005 has been entered.
2. The previous office action of 3 October 2005 is withdrawn. It is replaced with the present office action.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 5, 7, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by *Shinohara et al.*, U.S. Patent No. 6,474,827.

Shinohara discloses [see Fig. 38, for instance] a light guide plate comprising a transparent plate [52] having a light emitting surface [56], and a bottom surface opposite to the light emitting surface; and a plurality of optical embossments [72] arranged on the light emitting surface continuously side-by-side in rows and columns. Claim 1 is therefore anticipated.

The transparent plate is substantially a flat panel, so claim 2 is also anticipated. The optical embossments are integrally formed with the light guide plate, so claim 5 is also anticipated. The optical embossments have uniform dimensions, and are evenly

distributed on the emitting surface of the transparent plate, so claim 7 is also anticipated.

Considering the additional limitations of claim 13, it is a backlight system, the optical embossments are evenly distributed on the light emitting surface, and there is a light source [54] arranged at a side of the light guide plate, so claim 13 is also anticipated.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Shinohara et al.*, U.S. Patent No. 6,474,827 as applied above, in view of *Uratani*, U.S. Patent No. 5,317,430.

Shinohara does not appear to disclose the material used to make its transparent plate. *Uratani* discloses an analogous transparent plate [4] made from PMMA. It would have been obvious to one of ordinary skill in the art at the time of the invention to make *Shinohara's* transparent plate (and optical embossments) from PMMA, motivated by *Uratani's* teaching that PMMA is an acryl resin of high light transmittivity [col. 5, lines 65-66] which enables efficient light usage. Claims 3 and 4 are therefore unpatentable.

Allowable Subject Matter

7. Claims 6, 8-12, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claims 16 and 17 are allowed.

9. The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not disclose the device of claim 6, in particular the additional limitation that each of the optical embossments is substantially hemispherical or partially hemispherical, so claim 6 would be allowable if rewritten appropriately.

The prior art does not disclose the device of claim 8, in particular the additional limitation that there are dots evenly distributed on the bottom surface (such dots are known, and are shown in *Shinohara's* prior art figures providing diffuse reflection, but *Shinohara's* device appears to rely on specular rather than diffuse reflection from the surface opposite the embossments). Claim 8 would therefore be allowable if rewritten appropriately, as would claims 9-12 which depend from claim 8.

The prior art does not disclose the additional limitation of claim 15, that the embossments are further applied to upon the bottom surface of the transparent plate (*Shinohara* discloses embossments on both sides in Fig. 34, but not with the embossments on the light emitting surface being arranged in continuously in rows and columns); so claim 15 would be allowable if rewritten appropriately.

The prior art does not disclose the device of claim 16, in particular the limitations that the light guide plate has optical embossments on the light emitting surface and dots on the bottom surface which are both evenly distributed and of uniform dimension, and wherein the dots are generally hemispherical, partially hemispherical, dome-shaped, frustum-shaped, or cylindrical. Similarly, the prior art does not disclose the device of claim 17, where the dots are hollow regions which are hemispherical, partially hemispherical, concave, frustum-shaped, or cylindrical. Claims 16 and 17 are therefore allowed.

Conclusion


10. Applicant's amendment (of 22 July 2005) necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Schechter whose telephone number is (571) 272-2302. The examiner can normally be reached on Monday - Friday, 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on (571) 272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Andrew Schechter
Primary Examiner
Technology Center 2800
15 November 2005